

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARTY SIMS #351079,

Plaintiff,

v

Case No. 07-10117

PATRICIA CARUSO, JOHN
RUBITSCHUN, ENID LIVINGSTON,
and JOHN QUINLAN,

DISTRICT JUDGE ARTHUR J. TARNOW
MAG. JUDGE R. STEVEN WHALEN

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

There having been no objection to Magistrate Judge Whalen's Report and Recommendation [Docket #35] filed February 10, 2009 and the Court being fully advised in the premises;

IT IS HEREBY ORDERED that the Report and Recommendation of Magistrate Judge Whalen is ADOPTED and Defendants' Motion to Dismiss/Summary Judgment is GRANTED.

s/Arthur J. Tarnow
Arthur J. Tarnow
United States District Judge

Dated: March 3, 2009

I hereby certify that a copy of the foregoing document was served upon parties/counsel of record on March 3, 2009, by electronic and/or ordinary mail.

s/Catherine A. Pickles
Judicial Secretary